

**U.S. Department of Justice**

United States Attorney
Southern District of New York

86 Chambers Street, Third Floor
New York, New York 10007

July 3, 2008

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BY FACSIMILE AND HAND DELIVERY

Hon. Laura T. Swain
United States District Judge
United States Courthouse
500 Pearl Street, Room 755
New York, NY 10007

MEMO ENDORSED

Re: *Karawia, et al. v. United States Dep't of Labor*, 08 Civ. 5471 (HB)

Dear Judge Swain:

This Office represents the United States Department of Labor (the "Government") as the defendant in the above-referenced matter. Pursuant to Your Honor's memo-endorsed order in this matter dated June 24, 2008, I write to provide Your Honor with an update on the format of the hearing in this matter scheduled on July 14, 2008. I have conferred with Sam Gdanski, counsel for plaintiffs, and Mr. Gdanski indicated that plaintiffs does not intend to elicit testimony from any witness. The Government, likewise, does not intend to call any witness.

Further, based on my discussions with Mr. Gdanski, I do not expect that, subject to the Court's questions, it will require more than an hour for the parties to present their respective arguments. Finally, Mr. Gdanski asked me to relate a request to Your Honor regarding the time for oral arguments on this motion — because his office is located in Westchester County, Mr. Gdanski requests that the hearing be scheduled, if it is convenient for the Court, for 2 p.m. on July 14, 2008, instead of 10 a.m.

I thank the Court for its consideration of these matters.

The hearing is adjourned to 2:00pm
on July 14, 2008. Each side
will be allotted 20 minutes
for argument.

Respectfully submitted,

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By:

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SO ORDERED.

7/3/2008
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE